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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,446	08/01/2001	Denise L. Draper	337298001US1	6124
22434	7590	01/12/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			TO, BAOQUOC N	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			2162	
DATE MAILED: 01/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/921,446	<b>Applicant(s)</b> DRAPER ET AL.	
	<b>Examiner</b> Baoquoc N To	<b>Art Unit</b> 2162	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09/20/2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Requested For Continued Examination***

1. The request filed on 09/20/04 for a Requested For Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/921,446 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 9-41 are pending in this application.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 9, 15 and 24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 9-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Draper et al. (US. Patent No. 6,581,062 B1).

Regarding on claims 9, 15 and 24, Draper teaches a computer-readable medium containing a data structure, the data structure having rows and column, the data structure comprising: a plurality of rows of the data structure; and a type value associated with each of the plurality of rows of the data structure, the type value identifying a set of one or more columns of the data structure associated with the corresponding row, thereby enabling the set of columns for each f the plurality of rows to vary based upon the type value for that row (FIG. 3 illustrated a structured organization for storing the semi-structured data of FIG. 2a-2b, in accordance with one embodiment. As illustrated, structured organization 52' include four relational tables 62-68. Table 62 includes one column each for storing identifiers of entities A, B, C, D, E and G, and data for entities C and D wherein the relational table includes rows which identified the columns in the same tables) (coll. 4, lines 29-43).

Regarding on claims 10, 16 and 25, Draper teaches the computer-readable medium recited in claim 36 wherein a sub-column of one of the sub-rows of the nested data structure includes a further nested data structure (table 64 includes one column each for storing identifiers for entity E, F and data for entities F, whereas table 66

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includes one column each for entities F. Similarly, table 68 includes one column each for storing identifiers for entities A, H and I, and data for entity I" (col. 4, lines 33-43).

Regarding on claims 11, 17 and 26, Draper teaches the computer-readable medium recited in claim 9, wherein the data structure is a nested conditional relation data structure (table 64 includes one column each for storing identifiers for entity E, F and data for entities F, whereas table 66 includes one column each for entities F. Similarly, table 68 includes one column each for storing identifiers for entities A, H and I, and data for entity I" (col. 4, lines 33-43).

Regarding on claims 12, 18 and 27, Draper teaches the computer-readable medium recited in claim 33 wherein at least two rows of the data structure contain different type values in the type column (table 64 includes one column each for storing identifiers for entity E, F and data for entities F, whereas table 66 includes one column each for entities F. Similarly, table 68 includes one column each for storing identifiers for entities A, H and I, and data for entity I" (col. 4, lines 33-43).

Regarding on claims 13, 19 and 28, Draper teaches the computer-readable medium of claim 37 wherein at least two sub-rows of the nested data structure contain different type values in the type sub-column.

Regarding on claims 14, 20 and 29, Draper teaches the computer-readable medium of claim 9 wherein the type value for each of the plurality of rows identifies a schema for a type (table 64 includes one column each for storing identifiers for entity E, F and data for entities F, whereas table 66 includes one column each for entities F.

Similarly, table 68 includes one column each for storing identifiers for entities A, H and I, and data for entity I" (col. 4, lines 33-43).

Regarding on claims 33, Draper teaches the computer-readable medium as recited in claim 9, the data structure comprising a type column including the type values for the display of rows (table 64 includes one column each for storing identifiers for entity E, F and data for entities F, whereas table 66 includes one column each for entities F. Similarly, table 68 includes one column each for storing identifiers for entities A, H and I, and data for entity I" (col. 4, lines 33-43).

Regarding on claims 36, 38 and 40, Draper teaches the computer-readable medium of claim 9, the data structure further comprising:

A nested data structure, the nested data structure including sub-rows and sub-column, each of the sub-rows having a type value identifying a set of one or more sub-columns of the nested data structure associated with the corresponding sub-row, thereby enabling the set of sub-column for each of the plurality of sub-rows to vary based upon the type value for that sub-row (table 64 includes one column each for storing identifiers for entity E, F and data for entities F, whereas table 66 includes one column each for entities F. Similarly, table 68 includes one column each for storing identifiers for entities A, H and I, and data for entity I" (col. 4, lines 33-43).

Regarding on claims 37, 39 and 41, Draper teaches the computer readable medium as recited in claim 36, wherein one of the sub-columns is a type sub-column including the type value for the sub-rows (table 64 includes one column each for storing identifiers for entity E, F and data for entities F, whereas table 66 includes one column

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each for entities F. Similarly, table 68 includes one column each for storing identifiers for entities A, H and I, and data for entity I" (col. 4, lines 33-43).

Regarding on claims 21 and 30, Draper teaches the method recited in claim 15 and 30 including:

Providing a data store in a first format (col. 9, lines 51-65);

Providing a mapping of the first format to a second format (col. 9, lines 51-65);

Receiving a query for a data store based on the second format (col. 9, lines 51-65);

Generating a query based on the first format using the received query and the providing mapping (col. 9, lines 51-65); and

Executing the generated query based on the first format against the provided data store in the first format to generate data wherein the generated data is stored in the created data structure (col. 9, lines 51-65).

Regarding on claims 22 and 31, Draper teaches the method recited in claims 21 and 31 including the data of the created data structure into data in the second format (col. 9, lines 51-65).

Regarding on claims 23 and 32, Draper teaches the method recited in claim 21 and 30 wherein the second format is an XML format (col. 9, lines 51-65).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks


Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To

January 5, 2004

  
JEAN M. CORNELIUS  
PRIMARY EXAMINER